

# **REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

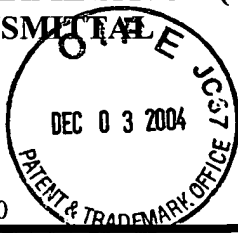
Address to:

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450



|                        |                          |
|------------------------|--------------------------|
| Application Number     | 10/014,484               |
| Filing Date            | December 11, 2001        |
| First Named Inventor   | Achim Franck et al.      |
| Art Unit               | 1771                     |
| Examiner Name          | Daniel R. Zirker         |
| Attorney Docket Number | 101769-120/ tesa AG 1510 |

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such
  - a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ii. ☐ Other see Amendment under 37 CFR 1.116 of 13 August 2004
  - b. ☒ Enclosed
    - i. ☐ Amendment/Reply
    - ii. ☐ Affidavit(s)/Declaration(s)
    - iii. ☒ Information Disclosure Statement (IDS)
    - iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
  - a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
  - b. ☒ Other
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
  - a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 14-1263
    - i. ☒ RCE fee required under 37 CFR 1.17(e)
    - ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
    - iii. ☐ Other \_\_\_\_\_
  - b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
  - c. ☐ Payment by credit card (Form PTO 2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## **SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

|                     |                      |                                     |                   |
|---------------------|----------------------|-------------------------------------|-------------------|
| Name (Print / Type) | Howard C. Lee        | Registration No. (Attorney / Agent) | 48,104            |
| Signature           | <i>Howard C. Lee</i> | Date                                | November 30, 2004 |

## **CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

|                     |                      |      |                   |
|---------------------|----------------------|------|-------------------|
| Name (Print / Type) | Agata Glinska        | Date | November 30, 2004 |
| Signature           | <i>Agata Glinska</i> |      |                   |

This collection of information is required by 37 CFR 1.114. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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12/06/2004 YPOLITE1 00000007 141263 10014484 01 FC:1801 790.00 DA



RCE  
JFW

PTO/SB/17 (10-03)  
Approved for use through 07/31/2006. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$790.00

## Complete if Known

|                      |                          |
|----------------------|--------------------------|
| Application Number   | 10/014,484               |
| Filing Date          | December 11, 2001        |
| First Named Inventor | Achim Franck et al.      |
| Examiner Name        | Daniel R. Zirker         |
| Art Unit             | 1771                     |
| Attorney Docket No.  | 101769-120/ tesa AG 1510 |

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number

14-1263

Deposit  
Account  
Name

Norris, McLaughlin & Marcus

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 790      | 2001         | 395      | Utility filing fee     |          |
| 1002         | 350      | 2002         | 175      | Design filing fee      |          |
| 1003         | 550      | 2003         | 275      | Plant filing fee       |          |
| 1004         | 790      | 2004         | 395      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |
| SUBTOTAL (1) |          |              |          |                        | (\$)     |

### 2. EXTRA CLAIM FEES FOR UTILITY AND

| Extra Claims       |         | Fee from below |   | Fee Paid |
|--------------------|---------|----------------|---|----------|
| Total Claims       | -20** = |                | X |          |
| Independent Claims | -3** =  |                | X |          |
| Multiple Dependent |         |                |   |          |

| Large Entity |          | Small Entity |          | Fee Description                                            |
|--------------|----------|--------------|----------|------------------------------------------------------------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                                                            |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |
| 1201         | 88       | 2201         | 44       | Independent claims in excess of 3                          |
| 1203         | 300      | 2203         | 150      | Multiple dependent claim, if not paid                      |
| 1204         | 88       | 2204         | 44       | ** Reissue independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) \$0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity |          | Small Entity |          | Fee Description                                                            | Fee Paid |
|--------------|----------|--------------|----------|----------------------------------------------------------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                                                                            |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath                                        |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053         | 130      | 1053         | 130      | Non - English specification                                                |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252         | 430      | 2252         | 215      | Extension for reply within second month                                    |          |
| 1253         | 980      | 2253         | 490      | Extension for reply within third month                                     |          |
| 1254         | 1,530    | 2254         | 765      | Extension for reply within fourth month                                    |          |
| 1255         | 2,080    | 2255         | 1,040    | Extension for reply within fifth month                                     |          |
| 1401         | 340      | 2401         | 170      | Notice of Appeal                                                           |          |
| 1402         | 340      | 2402         | 170      | Filing a brief in support of an appeal                                     |          |
| 1403         | 300      | 2403         | 150      | Request for oral hearing                                                   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable                                           |          |
| 1453         | 1,370    | 2453         | 685      | Petition to revive - unintentional                                         |          |
| 1501         | 1,370    | 2501         | 685      | Utility issue fee (or reissue)                                             |          |
| 1502         | 490      | 2502         | 245      | Design issue fee                                                           |          |
| 1503         | 660      | 2503         | 330      | Plant issue fee                                                            |          |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner                                              |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR § 1.17(q)                                      |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Statement                             |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 790      | 2809         | 395      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810         | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801         | 790      | 2801         | 395      | Request for Continued Examination (RCE)                                    | 790.00   |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) \$790.00

## SUBMITTED BY

|                   |               |                                   |                   |           |              |
|-------------------|---------------|-----------------------------------|-------------------|-----------|--------------|
| Name (Print/Type) | Howard C. Lee | Registration No. (Attorney/Agent) | 48,104            | Telephone | 212-808-0700 |
| Signature         | Howard C. Lee | Date                              | November 30, 2004 |           |              |

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